

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 684

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## CONGRESS SUMMARY

### Farm Bill Nearing Final Approval—Action on Wage and Hour Legislation Deferred

A move toward final Congressional action on the farm bills passed at the special session was taken during the week when the House, on Wednesday, adopted the Conference Committee report on the conflicting House and Senate measures by a vote of 264 to 135. The following day the Senate began a debate on the report, which is scheduled to end with a vote at 3:30 p. m. Monday; the bill will then go to the President for signature.

No action has been taken on wage and hour legislation, the House Committee on Labor not having met since January 12, but Chairman Norton indicated after a White House conference on Thursday that a revised bill would be reported to the House late in March or early in April. Mrs. Norton told reporters that the discussion touched briefly on wage differentials. Representative Ramspeck, next in rank to the chairman of the Labor Committee, and Assistant Secretary of Labor McLaughlin were also present at the conference with the President.

Chairman Lea of the House Committee on Interstate and Foreign Commerce filed late in the week a conference committee report on the bill (S. 1077) which would amend the Federal Trade Commission Act by making unlawful "unfair or deceptive acts or practices in commerce" and which would place the control of food and drug advertising in the Federal Trade Commission.

Senator Copeland, Chairman of the Senate Commerce Committee and the Senate sponsor of food and drug legislation (S. 5), reported another drug bill (S. 3073) from his Committee. The bill was introduced following the deaths resulting from the use of an elixir containing the new drug sulfanilamide, and has for its purpose the protection of the public health against the distribution of drugs which have not become generally recognized as safe for use.

Much of the opposition to the final approval of the five major crop marketing control bill is centered on changes made by the conference committee in the Boileau-McNary amendment, which had been adopted at the time the conflicting House and Senate bills were passed late last fall. The Boileau-McNary amendment (see INFORMATION LETTER No. 678, December 4, 1937) was proposed to protect the dairy and poultry industries from competition that might develop from farmers using acreage diverted from corn, cotton, rice, wheat, or tobacco, pursuant to the quota provisions of the bill, for poultry or livestock feeding purposes.

Representative Hope of Kansas, ranking minority member of the House Agricultural Committee, in defending the conference report stated that "on the 19th of last April we passed in the House by unanimous consent a bill imposing control and marketing quotas on the dairy industry and the marketing of fresh fruits and vegetables which was infinitely

more severe than the provisions in the pending bill." The bill to which Mr. Hope referred, canners will recall, was the Jones bill reenacting the marketing agreement provisions of the invalidated Agricultural Adjustment Act.

A hearing on the Pettengill long and short haul bill (H. R. 1668) has been scheduled for February 23 by the Senate Committee on Interstate Commerce. The bill would make unlawful a greater charge as a through rate than the aggregate of the intermediate rates and would put the burden on the carrier of proving a lower rate reasonable and non-preferential. The proposal was passed by the House last April.

## MINIMUM WAGE DETERMINATION

### Summary of Scales Established Under Provisions of the Walsh-Healey Act

The eleventh minimum wage determination made pursuant to the provisions of the Walsh-Healey Government Contracts Act became effective on January 26, 1938. Since a number of members of the Association have expressed an interest in the minimum wages that have been established and in the procedure followed in arriving at a wage determination, there is here presented a summary of the procedure and the minimums applicable to work performed on a government contract in the eleven industries now the subject of minimum wage determinations.

It will be recalled that the Walsh-Healey Act provides that, in contracts exceeding \$10,000 entered into with agencies of the United States, there shall be included stipulations that the contractor will pay employees engaged in performance of the contract "minimum wages as determined by the Secretary of Labor to be the prevailing minimum wages"; will maintain an 8-hour day and a 40-hour week; will pay time and one-half for overtime; will not employ males under 16, females under 18, or convict labor; and will comply with State safety, sanitary, and factory laws.

In arriving at a wage determination the Secretary of Labor considers the findings of fact and recommendations submitted by the Public Contracts Board, an administrative agency created by order of the Secretary of Labor to hold hearings, receive evidence, make investigations, and make recommendations concerning the prevailing minimum wages within the various industries.

Upon the Board's decision to investigate an industry for the purpose of considering a wage recommendation an advisory panel composed of members selected from labor and management is invited to assist the Board in learning of the problems incident to determining the prevailing minimum wage.

If the pre-hearing discussions between the Board and the advisory panel disclose a lack of evidence and knowledge as to wages in the industry, the Board or a representative trade organization may conduct a survey. Such a survey may be

undertaken after a public hearing has been held by the Board if sufficient evidence has not been adduced. Notices of the intention to hold a public hearing are sent to all trade organizations, trade unions, trade publications, and each known member of the industry.

The following table shows the wage determinations for the specified industries, whether the work is performed on an hourly or piece-work basis.

Industry	Wage	
	Hourly	Weekly
Men's work clothing	\$0.37½	\$15.00
Men's hat and cap	.67½	27.00
Men's neckwear	.50	20.00
Cotton garment	.37½	15.00
Seamless hosiery	.35	14.00
Men's underwear:		
Va., Tenn., N. C., S. C., Texas, La., Okla., Ga., Fla., Ala., Miss., and Ark.	.32½	13.00
All other States and the District of Columbia	.35	14.00
Men's raincoat	.40	16.00
Work glove	.35	14.00
Men's welt shoes	.40	16.00
Dimension granite:		
Maine, N. H., Vt., Mass., R. I., Conn., and New York	.57½	23.00
Va., N. C., S. C., Ga., Fla., Ala., Tenn., Ky., Miss., La., Ark., and Texas	.32½	13.00
All other States	.42½	17.00
Handkerchief	.35	14.00

Tolerances are permitted for handicapped workers in the cotton garment, seamless hosiery, men's underwear, men's raincoat, and work glove industries, and in the cotton garment and seamless hosiery industries a tolerance for learners has been allowed.

### Meeting of the Meat Section

The Meat Section held its usual well-attended meeting on Thursday morning of convention week. The program consisted of five papers, the first of which was a comprehensive review of recent advances in meat canning by Paul I. Aldrich of the "National Provisioner." Mr. Aldrich stressed particularly the success of certain new canned meat products, maintaining that this gratifying consumer acceptance was

tribute first, to a worthwhile product and beyond that, to the intelligent promotional efforts of the packers. Reasoning from recent performance, he developed the prophesy that meat canning will continue to advance.

The remainder of the program centered on technical details of meat canning. Mr. G. V. Hallman of the Research Department of the Continental Can Company presented a detailed statement on "Methods for Cooling Processed Cans of Meats." Mr. L. G. Weiner of the Research Department of the American Can Company presented data which showed the relation between can size and cut-out weight of certain canned sausage products. His survey indicated certain factors which are important in controlling net weight uniformity. A discussion of spice sterilization, by heat and by other treatment, was given by Dr. E. J. Cameron of the Research Laboratories of the National Canners Association. The program was concluded with a report of the Sub-Committee on Bacteriology by Dr. L. B. Jensen of Swift & Company.

### Hearing Set for Fruit Marketing Agreement

The Control Committee of the present marketing agreement for California pears, plums and Elberta peaches has submitted to the Agricultural Adjustment Administration a proposed marketing agreement program for California pears, plums and Elberta peaches. This program, if placed in effect, would continue, except for certain modifications, the marketing program provided by the present marketing agreement and order, which terminate automatically April 1, 1938. The Agricultural Adjustment Administration has set February 21st as the date for a public hearing on the proposed agreement, the hearing to be held at Sacramento.

### Coming Canners Conventions

The annual meeting of the Canners League of California will be held at Del Monte, starting Thursday evening, March 3rd, and continuing through Friday and Saturday.

The 28th annual convention of the Utah Canners Association, it is announced, will be held at the Hotel Newhouse, Salt Lake City, on February 25th and 26th.

### UNSOLD STOCKS OF CANNED SALMON

Unsold stocks of canned salmon on January 31, 1938, totaled 3,839,192 cases as compared with 1,978,554 cases on the corresponding date last year, according to statistics compiled by the Association of Pacific Fisheries. The figures for January 31, 1938, are based on reports from 89 companies producing 99 per cent of the 1937 pack. The statistics for December 31, 1937, are based on reports from 91 companies producing 99.1 percent of the 1937 pack. The following table furnishes details as to the stocks of the different varieties:

Grades or Varieties	Talls (1 Pound) Cases	Flats (1 Pound) Cases	Halves (8 Dozen) Cases	Total Jan. 31, 1938 Cases	Total Dec. 31, 1937 Cases	Total Jan. 31, 1937 Cases
Chinooks or Kings:						
Fancy Red	9,944	15,457	45,432	70,833	80,990	51,995
Standard	13,409	10,693	19,227	43,329	56,333	32,369
Pale	2,125	613	1,185	3,923	5,120	4,364
White	659		394	1,053	2,712	1,459
Puget Sound Sockeyes	574	3,657	21,164	25,395	13,600	22,604
Alaska Reds	999,001	39,975	55,695	1,094,671	1,135,879	280,150
Cohoos, Silvers, Medium Reds	48,482	2,130	14,920	65,532	68,332	52,185
Pinks	2,143,231	2,871	24,116	2,170,218	2,262,557	1,333,651
Chums	355,798		3,264	359,062	407,942	195,986
Bluebacks			2,000	2,000	2,456	804
Steelheads	1,436	758	982	3,176	3,530	2,987
Total	3,574,659	76,154	188,379	3,839,192	4,039,451	1,978,554

### Fishery Industries Report

"Fishery Industries of the United States, 1936" by R. H. Fiedler, has recently been released by the U. S. Bureau of Fisheries as Administrative Report No. 27. In addition to detailed statistics of the domestic fisheries for 1935, the publication includes reviews of fishery technological and economic investigations and market surveys conducted during 1935. It may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D. C., for 25 cents.

### Canners Schools

Canners schools, held under the auspices of the state agricultural colleges, have become an established institution in a number of states. Information is presented which may be helpful to growers, canners, factory superintendents and field men and the schools are usually held during the off-season when these men have better opportunity to attend them. During January, schools were held in Michigan and Utah. The Indiana school was held on February 8th and 9th and the Maryland school on February 10th and 11th. The Oregon school, opening on February 7th, will continue until the 19th. Ohio's school will be held on February 16th and 17th, New York's school is scheduled for March 1st-3rd, and the Wisconsin school for March 21st-23rd.

### Complaint Issued Against Chlorine Manufacturers

Nine companies manufacturing liquid chlorine are charged in a complaint issued by the Federal Trade Commission with engaging in a combination and conspiracy which has resulted in their fixing and maintaining uniform enhanced prices for their product, in violation of Section 5 of the Federal Trade Commission Act. The respondent companies are said to manufacture substantially all of the liquid chlorine produced in the United States for commercial and industrial purposes.

For the purpose of eliminating price competition among themselves, the respondent companies, in 1931, the complaint charges, entered into a combination under which they agreed to fix and maintain, and have fixed and maintained, uniform enhanced prices for liquid chlorine. It is further alleged that the respondent companies have divided the United States into zones in which, by agreement, they have effectuated their price-fixing program.

### Complaint Against Office Furniture Institute

Fixing of prices for steel office furniture and equipment is alleged by the Federal Trade Commission in a complaint issued against fourteen manufacturers, five dealers, and the trade association of each group. The complaint charges that the manufacturers, said to produce 85 per cent of all the steel office furniture and equipment sold in the United States, fix and maintain uniform minimum prices at which they sell their products, and that the dealers cooperate with them in establishing and observing uniform minimum resale prices fixed by the manufacturers. Steel Office Furniture Institute, Cleveland, and Tidewater Office Equipment Dealers' Association, Norfolk, Va., are the respondent trade associations.

Beginning in June, 1935, the manufacturers and the Institute, the complaint charges, entered into certain agreements and understandings, pursuant to which they (1) agreed to fix and maintain, and do fix and maintain, uniform minimum prices, maximum discounts and uniform terms of sale for their products; (2) required agents, wholesalers, retailers, and others purchasing for resale, to maintain the resale prices fixed by the manufacturers, and, in order to make their program effective, formed local associations of such customers, inducing and coercing them to put into effect agreements to maintain the resale prices established by the Institute members; and (3) filed with the Institute schedules of prices, including discounts and terms of sale, agreed not to deviate from such schedules, and adopted detailed rules designed to prevent deviation by the respondent members from the prices, discounts and terms of sale announced by them. The complaint also charges that the Institute collects from and disseminates among its members information as to prices, discounts and other data used and useful in furthering their undertakings.

### Beet Pack in 1937

The beet pack in 1937 totaled 2,751,888 cases of all sizes of containers, as compared with 2,093,708 cases in 1936 and 2,059,706 in 1935, according to figures compiled by the Association's Division of Statistics. The following table shows the pack, by States:

	1935 Actual cases	1936 Actual cases	1937 Actual cases
New York.....	753,573	697,691	1,028,253
Maryland.....	22,209	15,234	34,131
New Jersey.....	68,975	56,037	89,238
Indiana.....	(a)	69,530	49,660
Michigan.....	144,855	97,298	152,034
Wisconsin.....	815,829	746,887	724,672
Colorado.....	28,115	(a)	(a)
Utah.....	(a)	(a)	29,343
Oregon.....	97,324	228,160	302,216
Washington.....	65,611	92,143	67,330
California.....	(a)	No pack	(a)
Other States.....	63,215	90,728	275,011
Total.....	2,059,706	2,093,708	2,751,888

(a) Included in Other States.

The pack, by can sizes, is shown in the following table:

Can and case sizes	1935 Actual cases	1936 Actual cases	1937 Actual cases
24/2.....	810,696	846,037	1,233,689
48/8Z.....	19,350	34,046	52,720
48/1.....	12,956	12,874	11,609
24/2½.....	582,336	539,668	674,149
6/10.....	433,646	484,026	471,429
Miscellaneous.....	200,722	177,057	308,292
Total.....	2,059,706	2,093,708	2,751,888

### U. S. Standards for Green Asparagus

The Bureau of Agricultural Economics of the U. S. Department of Agriculture has issued, effective December 22, 1937, standards for green asparagus for canning or freezing. Copies of the standards may be obtained by addressing the Bureau, in Washington.



### Fruit and Vegetable Market Competition

Carlot Shipments as Reported by the Bureau of Agricultural Economics, Department of Agriculture

VEGETABLES	Week ending—			Season total to—	
	Feb. 5, 1937	Feb. 5, 1938	Jan. 29, 1938	Feb. 5, 1937	Feb. 5, 1938
Beans, snap and lima	168	156	164	4,173	2,685
Tomatoes.....	384	372	210	1,690	1,716
Green peas.....	45	169	161	609	784
Spinach.....	400	359	281	3,653	2,972
Others:					
Domestic, competing directly....	3,003	2,836	5,574	54,566	53,863
Imports competing Directly.....	41	42	37	384	307
Indirectly.....	60	64	100	1,167	1,736
FRUITS					
Citrus, domestic....	4,941	4,528	1,785	78,633	65,975
Imports.....	7	6	0	30	32
Others, domestic....	228	239	117	17,909	17,683

### Department Store Sales in January

Volume of sales at department stores showed slightly less than the usual seasonal decline from December to January, and the Federal Reserve Board's adjusted index was 90 per cent of the 1923-1925 average in January as compared with 89 in December and 91 in November. Total sales in January were 4 per cent less than in the corresponding month a year ago.

### Home Economics Division Field Work

Following the annual convention Miss Ruth Atwater of the Home Economics Division went out on a field trip and last week she was a guest speaker on a radio program in Topeka, Kansas, and two radio programs in Kansas City, Missouri. In addition to her conferences with home service directors, dietitians, and state supervisors of home economics, she spoke to seven consumer groups.

This week she was a guest speaker at Farm and Home Week at Kansas State College, Manhattan, Kansas, and is also speaking at the University of Kansas at Lawrence, the University of Missouri at Columbia, and to two groups in St. Louis.

Miss Atwater reports an increasing interest and sympathy with descriptive labels for canned foods.

Unusual requests received by the Division this week included one from a farm woman in Oklahoma for "Correct menus to serve farm hands"; and another from Saskatoon, Saskatchewan, for information on how to buy canned foods for a study club. So, even in Saskatchewan, consumer clubs are active.

### FOOD SALES CAMPAIGNS

#### Four Merchandising Events from Which the Canning Industry Should Profit

February will have three merchandising events that promise to be an important factor in stimulating canned food sales. These are National Cherry Week, February 15th-22nd; Can-

ned Peach Week, starting February 17th; National Brand Week, February 24th-March 5th. These will be followed by Canned Salmon Week, March 4th-12th.

Plans for Cherry Week as reported at the meeting of the Pitted Red Cherry Section during the convention at Chicago show that this year's campaign has aroused wide interest and is receiving an unusual degree of cooperation from both distributors and related industries and trades. It has been estimated that more than eleven and a half million color pages of advertising will feature cherries during February. There will also be widespread newspaper promotions to stimulate cherry sales. As noted in last week's INFORMATION LETTER, there will be a pie-baking contest at the Hotel Morrison in Chicago, with competitors from nine states.

National Peach Week will be a cooperative campaign by independent retailers and peach packers to move into consumption the large production of the past year. Extensive publicity, which will total more than 47 million messages in newspapers and women's magazines, has been arranged, and the Independent Food Distributors Council has pledged the support of its 150,000 merchants to make a selling drive.

National Brand Week will feature intensive work to promote the sale of all national brand lines of foods, including canned products. It offers an excellent opportunity for retailers to push the sale of related lines—fruits, vegetables, meats, specialties, etc.—and in this respect is a novel promotion idea. Many national manufacturers will not only place additional advertising but also furnish promotion material, such as posters for store decorations.

Canned Salmon Week will be backed by the largest advertising appropriation ever made by the salmon canners. Newspapers, radio, billboards, and magazines will all be used. Large-size advertisements will appear in the food pages of the leading newspapers in 48 cities, outdoor billboards in full color in 34 trading areas, and radio home economic programs and spot announcements over stations in 35 cities.

### 1937 Canning Census Schedules Mailed

Schedules to be used by the U. S. Bureau of the Census for collecting data from manufacturers for the 1937 census were mailed to all members of the canning industry on January 25th. Since 1921 the census of manufactures has been taken at two-year intervals, and the Census Bureau has endeavored to speed up the collection of the returns and compilation of the reports. By promptly returning the schedules which have just been sent out, canners will assist the Bureau to get out its report on the industry at an earlier date.

### Japanese Exports of Canned Salmon

Japanese shipments of canned salmon diminished considerably during November, totaling only 91,837 cases, as compared with 346,562 cases during October, according to the American commercial attache at Tokyo. Exports of silver salmon were much heavier than those recorded during pre-

vious months, but red and pink salmon decreased to 18,624 cases and 39,067 cases respectively.

A rather optimistic report was published recently in the Hokkai Times (Sapporo) which stated that pink salmon shipments to Europe were expected to reach an all-time high of 900,000 cases for the year. Since the statistics of the Canned Salmon Exporters' Association show the total shipments to Europe for the first 11 months as only 679,711 cases, it seems more likely that the total will not be far above the 700,000 cases sent to that region last year.

## AUSTRALIAN FRUIT PRICES SET

### Minimums to Be Paid by Manufacturers Who Benefit from Sugar Agreement Act

The American trade commissioner at Sydney reports that the Australian Fruit Industry Sugar Committee has announced the minimum prices that jam manufacturers and canners may pay growers for fruits during the 1938 season in order to become eligible for receipt of the domestic sugar rebate and for such special export assistance as is made available by the Fruit Industry Sugar Concession Committee from the 216,000 pounds per annum granted to it under the Sugar Agreement Act. The Committee pays a rebate of 2 pounds 4 shillings per ton on sugar used in the manufacture of locally processed fruit for Australian use (the domestic rebate), and a rebate of the difference between the Australian price of sugar and the Australian parity of the overseas price, to users of sugar for the manufacture of products to be exported (the export sugar rebate). Special export assistance, in addition to these rebates, is made available in the form of bounties to the various processing industries.

Minimum prices for pears, as announced by the Committee, are 2 pounds a ton higher than a year ago, and for cling-stone peaches for canning they are 1 pound more than last year. No alteration was made in prices of other fruits. The advance in pear and peach prices was made, it is stated, because of the sound stock position of canned fruits generally and higher prices that are being obtained for pears on the London market. The new minimum prices, per ton, are as follows:

	For jam Pounds	For canning Pounds
Apricots.....	10	12
Peaches:		
Clear centred.....	7	11
Red centred.....	7	10
Freestone.....	7	7
Pears:		
Bartlett.....	..	10
Kiefer.....	..	8
Quinces.....	7	7
Plums.....	7	..
Pineapples.....	..	9/6/8

## Annual Alaska Fisheries Report

There is now available from the U. S. Bureau of Fisheries, issued as Administrative Report No. 28, the annual report on the Alaska fishery and fur-seal industries in 1936. The

report was prepared by the chief of the Division of Alaska Fisheries and furnishes detailed information with respect to the work of the Bureau and the results from the fishery operations in different parts of the territory. Copies may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., at 10 cents each.

## CHERRY CANNERS ASK CHANGES

### Resolution Adopted Requests Modifications in the McNary-Mapes Regulations

At the meeting of the Pitted Red Cherry Section of the National Canners Association in Chicago the secretary of the Section was instructed to forward to the Chief of the Food and Drug Administration resolutions protesting against two features of the McNary-Mapes regulation regarding the product, which has been variously called "Pitted Red Cherries" and "Red Sour Pitted Cherries." One of these resolutions maintains that the term "Pitted Red Cherries" adequately describes the product; the other holds that the word "Un-sweetened" honestly and adequately describes the contents of the container when packed in water.

As stated in the pamphlet on "Labeling Canned Foods," issued by the National Canners Association in February, 1936, the cherry sub-committee of the Labeling Committee adopted the term "Pitted Red Cherries" for the product which was formerly known in the industry as "Red Sour Pitted Cherries." This term was adopted by the Committee with the feeling that it more correctly represented the character of the product to consumers than the name formerly employed. This term was not accepted, however, by the United States Department of Agriculture in the McNary-Mapes regulations subsequently adopted for this fruit. The McNary-Mapes regulation provides that the product shall be designated as "Canned Red Sour Pitted Cherries."

The McNary-Mapes regulations also provide that red sour pitted cherries packed in water shall bear a special statement (in prescribed type) showing that fact, such as: "Water Packed Red Sour Pitted Cherries."

## New Raspberry Varieties Offered in New York

Ten new varieties of raspberries originating on the grounds of the State Experiment Station at Geneva, N. Y., are offered to fruit growers for trial by the New York State Fruit Testing Association, according to a recent statement issued by the Experiment Station. Planting stocks of any of these new varieties may be obtained at a nominal cost from the Fruit Testing Association. Four new black varieties are included, named Bristol, Dundee, Evans and Naples. Indian Summer, a so-called "everbearing" red raspberry, is said to be decidedly superior to any variety in its class being grown today. Other promising red varieties, according to this statement, include the Marcy, Newburgh and Taylor. The two purple varieties, Sodus and Marion, are also being recommended by the Station.

### CROP REPORT SCHEDULE

#### Bureau of Agricultural Economics Announces Program for the Current Year

Its 1938 program of truck and canning crops reports has been announced by the Bureau of Agricultural Economics of the U. S. Department of Agriculture. The following schedule shows the dates of reports of truck crops for canning or commercial manufacture. As will be noted, the first report scheduled is on the intended acreage for spinach, which was noted in the INFORMATION LETTER for February 5th. The next report will be on the intended acreage of peas, to be issued toward the middle of March.

Crop	Intended acreage	Planted acreage	Crop forecast	Con- dition*
Asparagus.....		Nov. 11	Mar. 11	2-6
Beans, green lima.....	May 12	July 13	Sept. 12	6-10
			Sept. 22	
			Oct. 12	
Beans, snap.....	Apr. 13	June 22	July 13	5-9
			July 22	
			Aug. 12	
			Aug. 23	
Beets.....	Apr. 22	July 13	Sept. 22	6-10
			Oct. 12	
Cabbage for kraut.....	Apr. 22	July 13	Sept. 12	6-10
			Sept. 22	
			Oct. 12	
Corn, sweet.....	Apr. 13	July 13	Aug. 12	5-9
			Aug. 23	
			Sept. 12	
Cucumbers for pickles..	Apr. 22	July 13	Sept. 22	7-9
			Sept. 12	
Peas, green.....	Mar. 11	May 24	June 22	5-7
			July 13	
			July 22	
Pimientos.....		June 13	Sept. 12	7-10
			Sept. 22	
			Oct. 12	
Spinach.....	Jan. 12	Mar. 11	Mar. 11	2-11
Tomatoes.....	Apr. 22	July 13	Aug. 12	6-10
			Aug. 23	
			Sept. 12	
			Sept. 22	
			Oct. 12	

\* Condition reports as of the 1st and 15th of each month as indicated are issued for truck crops for commercial manufacture or canning.

#### Preserve Standards Not Accepted by Court

Criminal action under the Food and Drugs Act was recently brought against a Chicago manufacturer for shipment in interstate commerce of several kinds of preserves alleged to contain less than 45 pounds of fruit to 55 pounds of sugar as required by the definitions and standards of the Department of Agriculture. Expert witnesses called by the Department testified that the standard in question represented the opinion of the industry regarding the composition of fruit preserves, and

analysts of the Food and Drug Administration testified that the preserves in question contained less than the amount of fruit specified in the standard. The court dismissed the case, however, on the ground that the Federal standard is not authorized by law or by regulations under the law.

In this connection it should be stated that, from the beginning of the enforcement of the Food and Drugs Act, Federal courts have given contrary decisions on this question. Some courts have accepted Federal standards in evidence, and others have refused to accept them. This case therefore does not establish a precedent. Coming at this time, however, it adds emphasis to the contention of the Department that the authority to make and enforce food and drug standards should be vested in the Secretary of Agriculture by the Food and Drugs Act.

#### Suggests Louisiana Enter Frosted Food Industry

Louisiana farmers were recently told by the Agricultural Committee of the New Orleans Association of Commerce that "if the general favorable reception of frozen foods by the buying public continues, it will become necessary for Louisiana to engage in this field in order to maintain profitable markets for fruits and vegetables." About 20 years ago the national frozen pack of fruits was slightly more than 1,000,000 pounds, it was stated; in 1936, the output was 53,000,000 pounds, and the pack of frozen vegetables was much more than that of fruits, the Association said.

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